IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 2171 of 2006

Shri Manohar Pandurang Bait ..Petitioner

vs.

1. The Municipal Corporation of Gr.Mumbai and others ..Respondents

Shri P.M.Havnur for petitioner
Smt.Nisha Dabhade for respondent no.1
Shri S.G.Surana for respondent no.2

CORAM: S.B.MHASE J.
31st March, 2006

P.C.

1. Heard the learned Counsel for the parties.

2. The order dated 22nd February, 2006 passed by the Administrator and Divisional Commissioner, Konkan Division under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act is challenged in this petition. on a statement of respondent no.2 that he will provide room nos.1, 2, 3 and 4 respectively tothe petitioners, the order was passed that the petitioners should vacate the premises by 2nd March, 2006. The said order was challenged by filing writ petition (Ld) No.296 of 2006 which was disposed of by this Court on 16th March, 2006 by making certain observations. However, the names of the petitioners were included in Annexure II and, therefore, all those directions are

not applicable in respect of the petitioners. Having thus lost in the said writ petition, the present writ petition has been filed making a grievance that accommodation which has been provided is already occupied by somebody else. The learned Counsel Shri Surana appearing for respondent no.2 makes a statement that there is no substance in the contention that the transit accommodation is already occupied by somebody else and he submitted that those transit accommodatiokns are vacant and they will be made available to the petitioners today only. Statement is accepted. It is, therefore, made clear that within 7 days from today the petitioners shall shift to the transit accommodation and thereafter respondent no.2 shall demolish the structure as per the SRA scheme. With these observations and on the undertaking of respondent no.2 as above the petition is disposed of.

(S.B.MHASE J.)